

City of Newport Beach - Building Department

BUILDING CODE POLICY

Effective Date	Subject	Policy No.
January 13, 2005	Newport Crest Balcony Repair and Extension	UBC 705

Upon research of record drawings for the Newport Crest Condominiums project, it was determined that the project was designed as a series of single-family dwellings (R3) with an imaginary property line between the units with zero setbacks from the property line.

Some units have cantilevered balconies, which are closer than 3 ft. from the imaginary property line between the units. Some units share a common entrance balcony which crosses the property line. These existing balconies do not comply with Section 705 of the 2001 California Building Code, which requires 1-Hr. construction or heavy timber.

Therefore, the following approach shall be used when reviewing drawings for repairs, additions or alterations to existing balconies of the Newport Crest condominiums:

1. Repairs which do not involve addition or replacement of joist will be permitted without requiring compliance with CBC Section 705.
2. Addition or replacement of joists are required to comply with CBC Section 705, or record with the Orange County Recorder Office on property title a '*Declaration*' that such repairs have been made without providing one-hour fire-rated construction within 3 ft. from the property line as required by the California Building Code. Declaration to be written by the Home Owners Association's attorney and approved by the City of Newport Beach Building Director prior to recording.

EXCEPTION: First floor balconies with floor elevation less than 30" above adjacent grade.

3. Extensions of existing balconies to within 3 ft. from the imaginary property line and all new balconies shall comply with all applicable code requirements.

Jay Elbettar, Building Director

